

ORIGINAL



0000138934

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

Arizona Corporation Commission

DOCKETED

SEP 05 2012

COMMISSIONERS

GARY PIERCE- Chairman

BOB STUMP

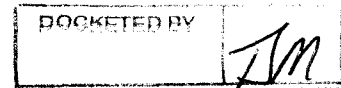
SANDRA D. KENNEDY

PAUL NEWMAN

BRENDA BURNS

2012 SEP -5 A 9:53

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL



IN THE MATTER OF THE APPLICATION OF
TRUXTON CANYON WATER COMPANY,
INC. FOR APPROVAL OF A RATE
INCREASE

DOCKET NO. W-02168A-11-0363

**STAFF'S REQUEST FOR PROCEDURAL
ORDER REQUIRING THE COMPANY TO
UPDATE ITS APPLICATION TO USE A
JUNE 30, 2012 TEST YEAR**

On June 23, 2010, Arizona Corporation Commission ("Commission") Utilities Division Staff ("Staff") initiated a Complaint and Petition for Order to Show Cause ("OSC") against Truxton Canyon Water Company ("Truxton" or "Company"). See Docket No. W-02168A-10-0247. As part of an agreement struck between Staff and the Company, Truxton agreed to file a rate case application by September 30, 2011 using a test year ending on June 30, 2011. See e.g. Recommended Opinion and Order docketed May 10, 2011, attached Exhibit C, Docket No. W-02168A-10-0247. Although the Company later disputed the OSC agreement, Truxton nonetheless filed an application for an increase to its rates on September 30, 2011 in this docket. The rate case filing was deemed sufficient on October 31, 2011.

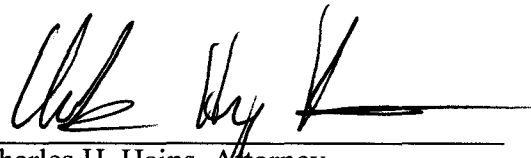
During the processing of the rate application, discovery disputes delayed Staff's processing of the matter as discussed more fully within the Staff Motion to Suspend Timeclock filed on January 31, 2012. Staff's request was granted by Procedural Order dated February 13, 2012. Per the Procedural Order, Staff was directed to file a request to reinstate the timeclock and reset the procedural schedule at such time as the Company provided Staff with the outstanding data responses.

Staff is concerned with the lapse of time since the rate case was filed. Staff has had communications with representatives of the Company who have indicated that the still outstanding data responses are forthcoming although no specific date has been stated as to when they will be provided. However, even when the outstanding data requests are eventually received, the test year

1 data has grown stale and likely is no longer representative of the Company's current financial
2 situation. Processing the application under these circumstances unreasonably increases the analytical
3 burden for Staff.

4 Staff therefore requests that the Company be ordered to update its application with revised
5 data reflecting a test year using the twelve months ending on June 30, 2012. Staff believes that the
6 Company should have until October 31, 2012 to provide the updated data. Upon receiving the
7 updated test year data, Staff recommends that Staff be ordered to file a request for a reset of the
8 procedural schedule.

9 RESPECTFULLY SUBMITTED this 5th day of September 2012.

10
11 

12 Charles H. Hains, Attorney
13 Bridget A. Humphrey, Attorney
14 Legal Division
15 Arizona Corporation Commission
16 1200 West Washington Street
17 Phoenix, Arizona 85007
18 (602) 542-3402

19 Original and thirteen (13) copies
20 of the foregoing filed this
21 5th day of September 2012 with:

22 Docket Control
23 Arizona Corporation Commission
24 1200 West Washington Street
25 Phoenix, Arizona 85007

26 Copies of the foregoing mailed this
27 5th day of September 2012 to:

28 Steve Wene
Moyes Sellers & Hendricks Ltd.
1850 North Central Avenue, Suite 1100
Phoenix, Arizona 85004
Attorneys for Truxton Canyon Water Co., Inc.

1 Todd C. Wiley
Fennemore Craig
2 3003 North Central Avenue, Suite 2600
Phoenix, Arizona 85012-2913
3 Attorneys for Valle Vista Property Owners
Association, Inc.

4
5 
6 _____